

Express Mail" mailing label number EL448312405US

Date of 2/15/02

Our Case No. 10466/201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Ashkenazi et al.)
Serial No. 09/990,438) Examiner To be assigned
Filing Date: November 14, 2001) Group Art Unit No. 1646
For SECRETED AND)
TRANSMEMBRANE)
POLYPEPTIDES AND NUCLEIC)
ACIDS ENCODING THE SAME)

**PETITION IN RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A
NONPROVISIONAL APPLICATION**

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Responsive to the Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures, dated December
17, 2001 (copy enclosed), Applicants hereby petition that pages 303-306 of the specification
(copy enclosed), be accorded the November 14, 2001 filing date accorded to the other 592 pages
of specification (including title page) and three hundred and thirty (330) sheets of drawings. The
petition fee of \$130 set forth in 37 CFR § 1.17 (h) is enclosed herewith.

In support of this petition, Applicants enclose a copy of the date-stamped postcard receipt
returned by the Office, which acknowledges receipt by the Office of "566 Pages of
Specification" (emphasis added).

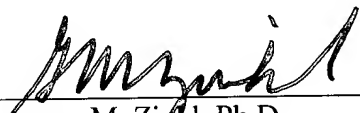
Adjustment date: 04/02/2002 Y61ZAW
02/26/2002 BABRAHA1 00000088 09990438
01 FC:122 -130.00 OP

Repln. Ref: 04/02/2002 Y61ZAW 0013050300
DAH:231925 Name/Number:09990438 \$130.00 CR
FC: 704

Thus, in accordance with MPEP § 503, which states "[a] postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO," Applicants respectfully request that the present petition be granted. Furthermore, Applicants respectfully request that the petition fee be refunded at such time as the present petition is granted, as required by MPEP § 601.01(d)

The Commissioner is hereby authorized to charge any fees required to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



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Agent for Applicant

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